
OLR Bill Analysis

sHB 6663

AN ACT CONCERNING COMPLAINTS ALLEGING MISCONDUCT BY LAW ENFORCEMENT AGENCY PERSONNEL.

SUMMARY:

This bill requires the Police Officer Standards and Training (POST) Council to develop and implement a written policy for the State Police and municipal law enforcement agencies (collectively, “law enforcement agencies”) on accepting, processing, and investigating public complaints against them alleging misconduct. POST must develop and implement the policy by July 1, 2014. Although the bill requires POST to implement the policy it develops, it does not explicitly require law enforcement agencies to adopt the policy.

The bill specifies several factors that POST must consider in developing this policy.

Under the bill, when POST has implemented its policy, law enforcement agencies must make their own policies available to the public, including making copies available at certain municipal buildings and online.

EFFECTIVE DATE: July 1, 2013

POST POLICY FOR COMPLAINTS AGAINST POLICE

The bill requires POST, in developing the complaint policy for law enforcement agencies, to consider:

1. whether all of an agency’s sworn officers and civilian employees must be required to accept complaints alleging misconduct by its law enforcement personnel;
2. the means or processes for accepting complaints from the

public, including those that are anonymous or made on behalf of someone else;

3. the need to require a sworn statement from a complainant;
4. protections for a complainant who fears retaliation associated with filing a complaint;
5. a standardized form to record complaints;
6. permissible timeframes for complaint filing;
7. protocols to investigate complaints;
8. documentation requirements relating to the receipt and disposition of complaints; and
9. the process to inform a known complainant of the disposition of his or her complaint.

POSTING OF COMPLAINT POLICIES

The bill requires law enforcement agencies, after POST implements its complaint policy, to make their own policies available to the public. This includes ensuring that:

1. copies of the policy are available at the town hall or another municipal building in the municipality served by the agency, other than a building where the agency is located and
2. the policy is available on the agency's or municipality's website.

BACKGROUND

Police Officer Standards and Training Council

POST (1) trains, certifies, and establishes minimum qualifications for municipal police officers and (2) enforces professional standards for certifying and decertifying them.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 33 Nay 11 (04/12/2013)